

FILED: September 29, 2008

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 08-1108  
(8:06-cv-03386-AW)

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SIERRA CLUB,

Plaintiff - Appellant

and

AUDUBON NATURALIST SOCIETY OF THE CENTRAL ATLANTIC STATES, INC.;  
ENVIRONMENTAL DEFENSE; MARYLAND NATIVE PLANT SOCIETY; ROGER  
METCALF; EVE BURTON; ROGER METCALF,

Plaintiffs

v.

UNITED STATES DEPARTMENT OF TRANSPORTATION, USDOT; MARY E.  
PETERS, Secretary of Transportation; FEDERAL HIGHWAY  
ADMINISTRATION, FHWA; J. RICHARD CAPKA, Administrator of FHWA;  
NELSON CASTELLANOS, Division Administrator of FHWA, Maryland  
Division; UNITED STATES ARMY CORPS OF ENGINEERS, ACOE; PETER W.  
MUELLER, Colonel, Commander and District Engineer of ACOE,  
Baltimore District; JANET M. VINE, Chief, Regulatory Branch of  
ACOE, Baltimore District; STATE OF MARYLAND,

Defendants - Appellees

and

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS; NATIONAL CAPITAL  
REGION TRANSPORTATION PLANNING BOARD; VINCENT C. GRAY; CATHERINE  
HUDGINS, Chairperson of the National Capital Region  
Transportation Planning Board,

Defendants

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O R D E R

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Upon consideration of the stipulated motion to dismiss, the Court dismisses this appeal, upon such terms as have been agreed to by the parties, pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk